



# Community Development Department

**DATE:** July 7, 2021

**FROM:** Ben Ehreth, AICP, Community Development Director

**ITEM:** Part of Silver Ranch First Addition and Silver Ranch First Addition First Replat – Annexation

## **REQUEST:**

Investcore, Inc. is requesting the annexation of parts of Silver Ranch First Addition and Silver Ranch First Addition First Replat. This action will allow the development of 45 additional single-family homes in the Silver Ranch development.

The property is located in northeast Bismarck, south of 43<sup>rd</sup> Avenue NE and east of Silver Boulevard.

Please place this item on the July 13, 2021 and July 27, 2021 City Commission meeting agendas.

## **BACKGROUND INFORMATION:**

The Planning & Zoning Commission held final consideration of the annexation request on June 23<sup>rd</sup>. At the conclusion of final consideration, and based on the findings contained in the staff report, the Planning & Zoning Commission voted unanimously to approve the annexation of parts of Silver Ranch First Addition and Silver Ranch First Addition First Replat, more specifically described as Lots 2-4, Block 4; Lots 4-8, Block 5 and all adjoining rights-of-way, Silver Ranch First Addition First Replat; and Lots 15-21, Block 2; Lots 1 and 8-12, Block 8; Lots 5-12 and 15-22, Block 9; and Lots 5-12, Block 10 and all adjoining rights-of-way, Silver Ranch First Addition.

## **RECOMMENDED CITY COMMISSION ACTION:**

July 13<sup>th</sup> meeting of the Board of City Commissioners – consider the request for the annexation as outlined in Ordinance 6476 and call for a public hearing on this item for the July 27<sup>th</sup> meeting.

July 27<sup>th</sup> meeting of the Board of City Commissioners – hold a public hearing on the annexation as outlined in Ordinance 6476 and take final action on the request.

**STAFF CONTACT INFORMATION:**

Ben Ehreth, AICP | Community Development Director, 355-1842 or [behreth@bismarcknd.gov](mailto:behreth@bismarcknd.gov)

Kim L. Lee, AICP | Planning Manager, 355-1846 or [klee@bismarcknd.gov](mailto:klee@bismarcknd.gov)

Daniel Nairn, AICP | Senior Planner, 355-1854 or [dnairn@bismarcknd.gov](mailto:dnairn@bismarcknd.gov)

## ORDINANCE NO. 6476

*First Reading* \_\_\_\_\_

*Second Reading* \_\_\_\_\_

*Final Passage and Adoption* \_\_\_\_\_

AN ORDINANCE ANNEXING PROPERTY TO THE CORPORATE LIMITS OF THE CITY OF BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA, DECLARING THE TERRITORY ANNEXED; DECLARING THE SAME TO BE A PART OF THE CORPORATE LIMITS OF SAID CITY.

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA:

Section 1. Territory Annexed. The territory and land hereinafter described is hereby declared and found to be a part of the corporate limits of the City of Bismarck, North Dakota, as follows:

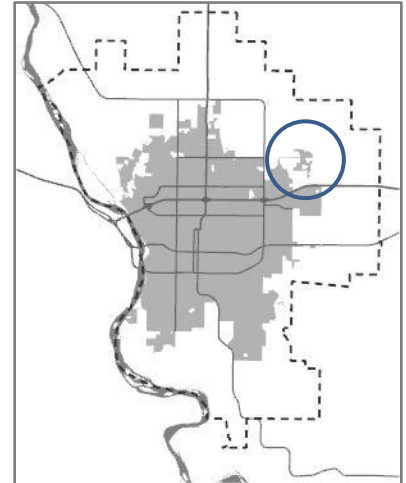
Lots 2-4, Block 4; Lots 4-8, Block 5 and all adjoining rights-of-way, Silver Ranch First Addition First Replat; and Lots 15-21, Block 2; Lots 1 and 8-12, Block 8; Lots 5-12 and 15-22, Block 9; and Lots 5-12, Block 10 and all adjoining rights-of-way, Silver Ranch First Addition, Burleigh County, North Dakota

The above described tract of land contains 15.04 acres, more or less.

Section 2. Provisions Applicable. From and after the final passage and adoption of this ordinance and upon recording of this ordinance with the Burleigh County Recorder, the territory herein described shall be a part of the corporate limits of the City of Bismarck, North Dakota.

## Project Summary

<i>Title:</i>	Parts of Silver Ranch First Addition and Silver Ranch First Addition First Replat
<i>Status:</i>	Planning & Zoning Commission – Final Consideration
<i>Owner(s):</i>	Investcore, Inc.
<i>Project Contact:</i>	Landon Niemiller, Swenson Hagen & Co.
<i>Location:</i>	In northeast Bismarck, south of 43rd Avenue NE and east of Silver Boulevard
<i>Project Size:</i>	15.04 acres
<i>Request:</i>	Annex lots for single-family residential development



## Site Information

### Existing Conditions

<i>Number of Lots:</i>	45 lots in 6 blocks
<i>Land Use:</i>	Undeveloped
<i>Future Land Use:</i>	Already zoned. Not in Future Land Use Plan
<i>Zoning:</i>	R5 – Residential
<i>Uses Allowed:</i>	R5 – Single-family residential
<i>Max Density:</i>	R5 – 5 units / acre

### Proposed Conditions

<i>Number of Lots:</i>	45 lots in 6 blocks
<i>Land Use:</i>	Single-family residential
<i>Future Land Use:</i>	Already zoned. Not in Future Land Use Plan
<i>Zoning:</i>	R5 – Residential
<i>Uses Allowed:</i>	R5 – Single-family residential
<i>Max Density:</i>	R5 – 5 units / acre

## Property History

<i>Zoned:</i>	N/A	<i>Platted:</i>	N/A	<i>Annexed:</i>	N/A
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## Staff Analysis

Investcore, Inc is requesting approval of the annexation of parts of Silver Ranch First Addition and Silver Ranch First Addition First Replat.

Adjacent uses include developing single-family residential to the west and south, undeveloped

land zoning for two-family residential to the north, and a public park to the east.

The area is surrounded by city limits, and the annexation would completely resolve this existing hole in the annexation boundary. As a term of the

(continued)

development agreement for Silver Ranch First Addition, a petition was filed to annex the entirety of this plat by November of 2023. This annexation will count toward partial fulfillment of this obligation.

#### *Utility Capital Charges*

The annexation of any new lots within the City of Bismarck is subject to utility capital charges for municipal utilities. Utility capital charges are due at the latter of three points: annexation and platting; water and sewer escrow; or petition for street improvement.

#### *Growth Phasing Plan*

The area proposed for annexation is within the Future development area of the Growth Phasing Plan. The extension of trunkline sewer mains to serve this area would be required prior to development.

#### **Required Findings of Fact (relating to land use)**

1. The City of Bismarck and/or other agencies would be able to provide necessary public services, facilities and programs to serve any development allowed by the annexation at the time the property is developed;
2. The proposed annexation is a logical and contiguous extension of the current corporate limits of the City of Bismarck;

3. The proposed annexation is consistent with the general intent and purpose of the zoning ordinance;
4. The proposed annexation is consistent with the master plan, other adopted plans, policies and accepted planning practice; and
5. The proposed annexation would not adversely affect the public health, safety and general welfare.

#### **Staff Recommendation**

Based on the above findings, staff recommends approval of the annexation of parts of Silver Ranch First Addition and Silver Ranch First Addition First Replat, more specifically described as Lots 2-4, Block 4; Lots 4-8, Block 5 and all adjoining rights-of-way, Silver Ranch First Addition First Replat; and Lots 15-21, Block 2; Lots 1 and 8-12, Block 8; Lots 5-12 and 15-22, Block 9; and Lots 5-12, Block 10 and all adjoining rights-of-way, Silver Ranch First Addition.

#### **Attachments**

1. Draft Annexation Ordinance
2. Location Map
3. Aerial Map
4. Zoning and Plan Reference Map

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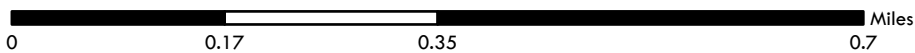
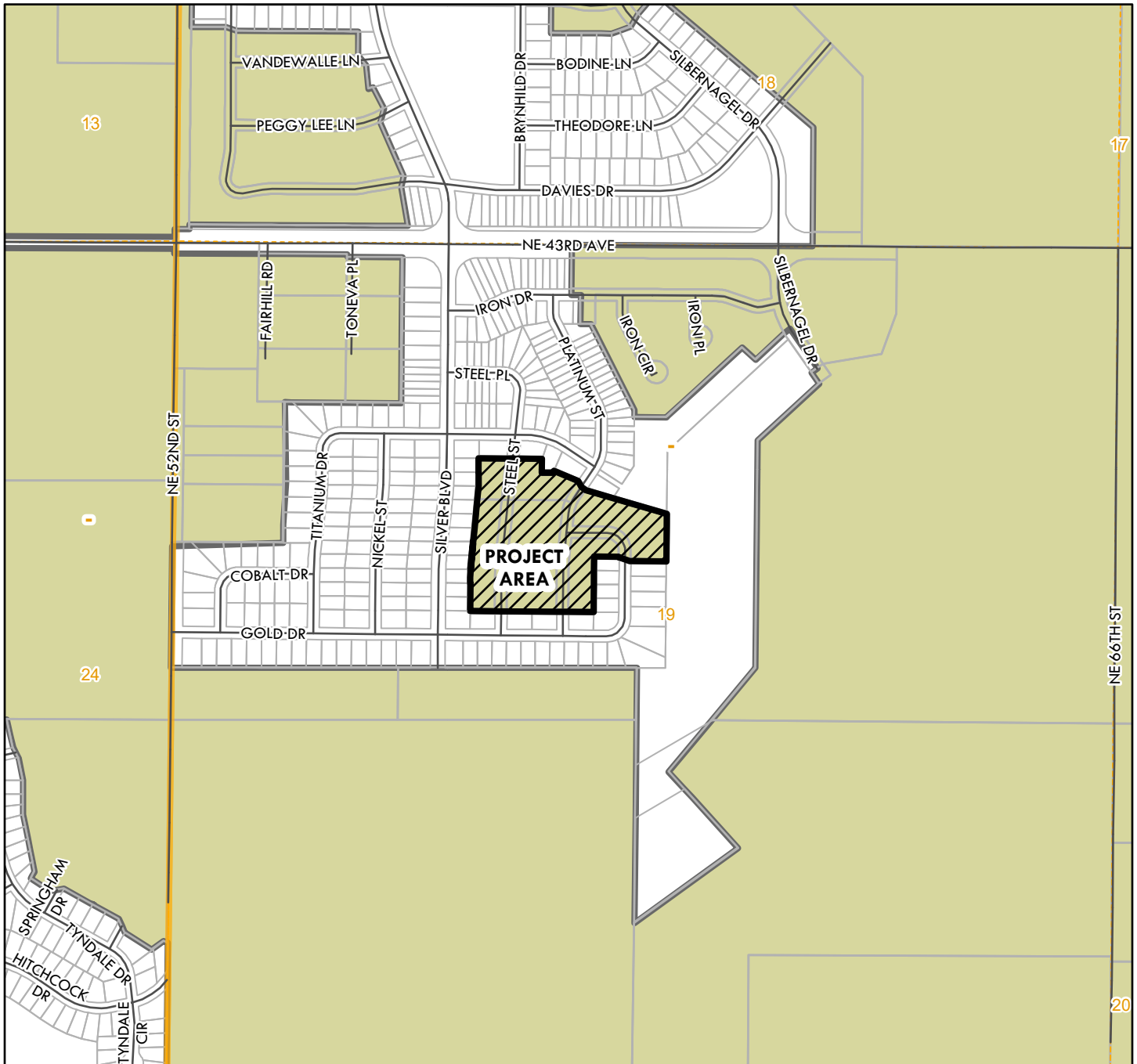
*Staff report prepared by:* Daniel Nairn, AICP, Senior Planner  
701-355-1854 | [dnairn@bismarcknd.gov](mailto:dnairn@bismarcknd.gov)



# Location Map

ANNX2021-007

PT SILVER RANCH 1ST ADD. & SILVER RANCH 1ST ADD. 1ST REPLAT



City Limits



County Outside ETA

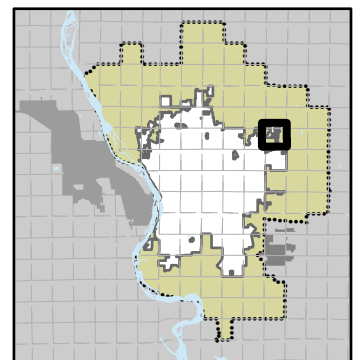


Bismarck ETA Jurisdiction

City of Bismarck  
Community Development Department  
Planning Division  
May 28, 2021 (HLB)

*Section, township, and  
range indicated in orange*

*This map is for representational use only and does not represent a survey.  
No liability is assumed as to the accuracy of the data delineated hereon.*



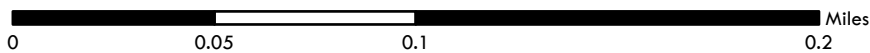
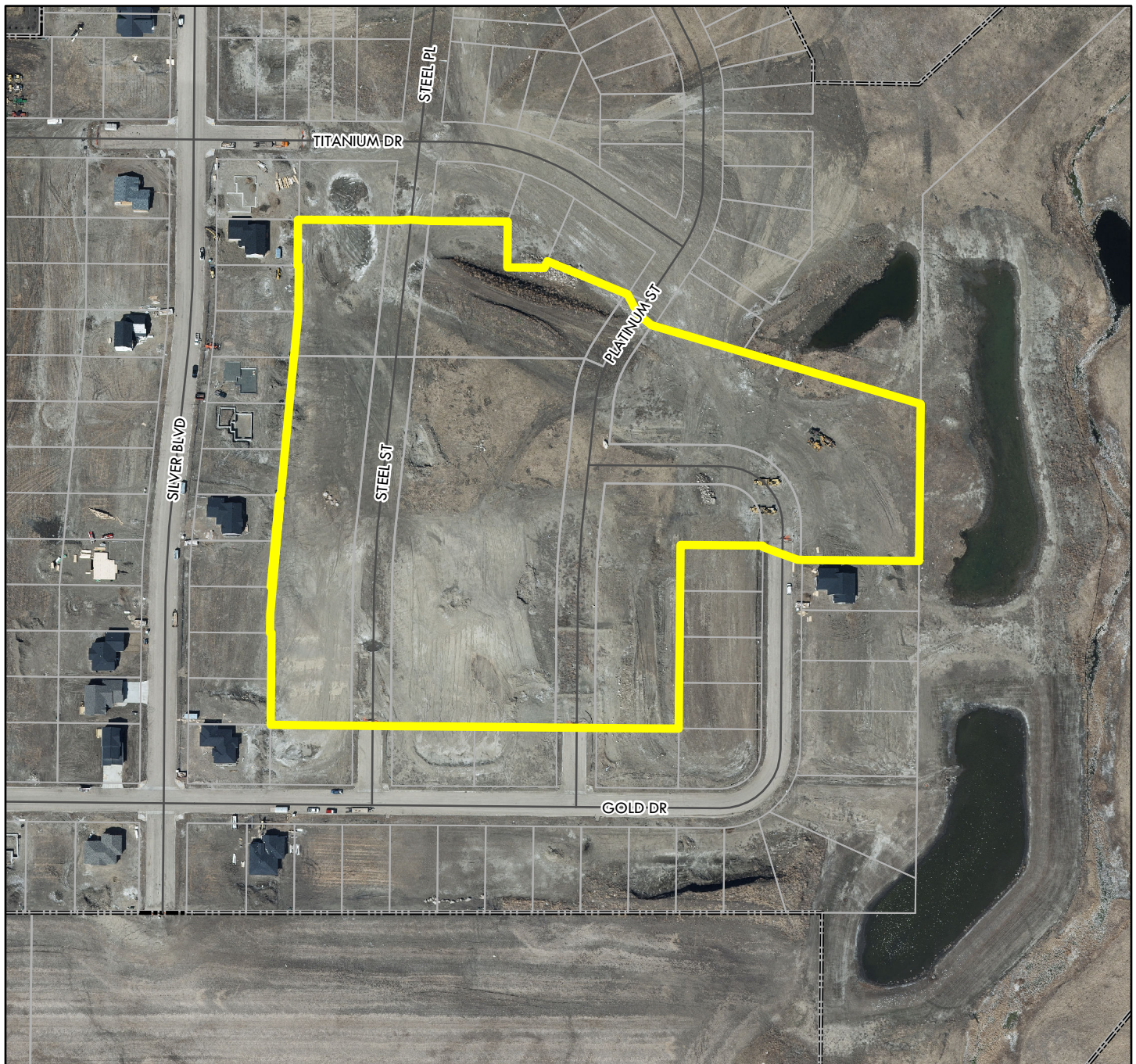




# Aerial Map

ANNX2021-007

PT SILVER RANCH 1ST ADD. & SILVER RANCH 1ST ADD. 1ST REPLAT

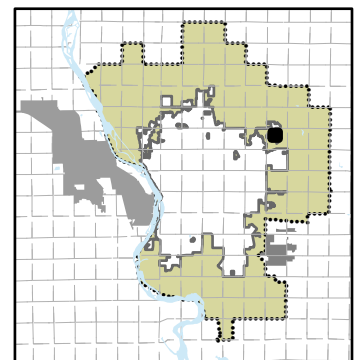


 City Limits  Bismarck ETA Jurisdiction

Aerial Imagery from April 2020

City of Bismarck  
Community Development Department  
Planning Division  
June 3, 2021

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## Zoning and Plan Reference Map

ANNX2021-007

PT SILVER RANCH 1ST ADD. & SILVER RANCH 1ST ADD. 1ST REPLAT

### Zoning Districts

<b>A</b>	Agriculture
<b>RR</b>	Rural
<b>R5</b>	Residential
<b>RMH</b>	Manufactured Home Residential
<b>R10</b>	Residential
<b>RM</b>	Residential Multifamily
<b>RT</b>	Residential (Offices)
<b>HM</b>	Health and Medical
<b>CA</b>	Commercial
<b>CG</b>	Commercial
<b>MA</b>	Industrial
<b>MB</b>	Industrial
<b>PUD</b>	Planned Unit Development
<b>DC</b>	Downtown Core
<b>DF</b>	Downtown Fringe

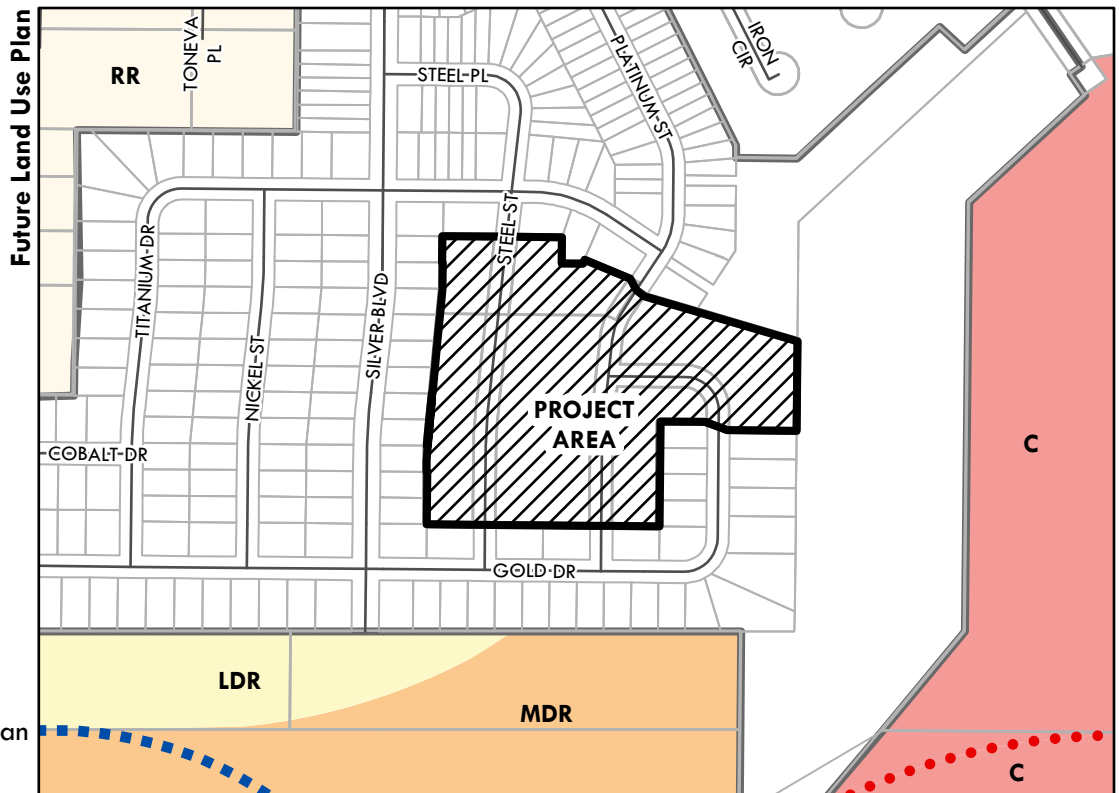
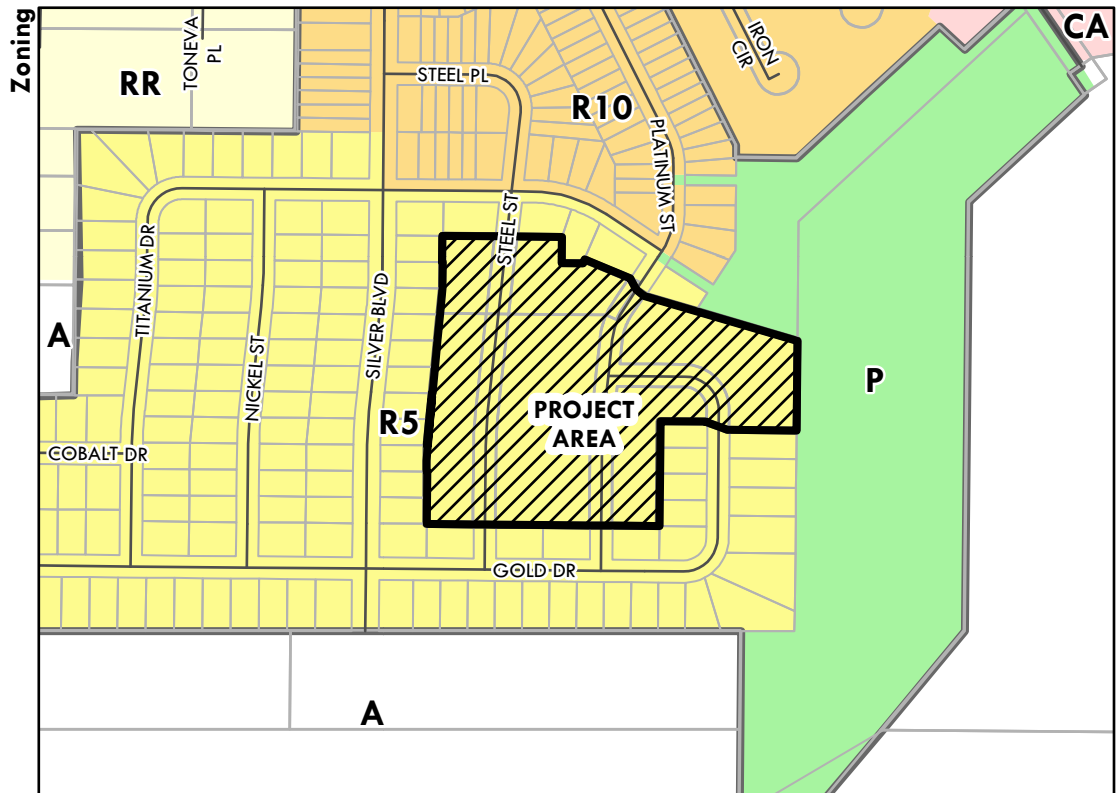
### Future Land Use Plan

<b>CONSRV</b>	Conservation
<b>BP</b>	Business Park
<b>C</b>	Commercial
<b>C/MU</b>	Commercial/ Mixed Use
<b>CIVIC</b>	Civic
<b>HDR</b>	High Density Residential
<b>I</b>	Industrial
<b>LDR</b>	Low Density Residential
<b>MDR</b>	Medium Density Residential
<b>MDR-/MU</b>	Medium Density Residential/ Mixed Use
<b>O/MU</b>	Office/ Mixed Use
<b>RR-C</b>	Clustered Rural Residential
<b>RR</b>	Standard Rural Residential
<b>UR</b>	Urban Reserve

### Fringe Area Road Master Plan

- ● ● Future Arterial Road
- ■ ■ Future Collector Road

0 0.05 0.1 0.2 Miles



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City of Bismarck  
Community Development Dept.  
Planning Division  
June 3, 2021